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September 2, 2014

Via FOIA Online

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPPA-2)
San Francisco, CA 94105

Re: FOIA Request – Aquifer Exemptions, Underground Injection Control

To Whom It May Concern:

Pursuant to the Freedom of Information Act (5 U.S.C. §§ 552 et seq.), I hereby request that the U.S. Environmental Protection Agency, Region 9 (“EPA”) make the following documents available for review and copying:

- All records, including but not limited to any drawings, photographs, maps, diagrams, forms, lists, correspondence, guidance, memoranda, reports, minutes, summaries or audits, from 1981 to the present relating to:
 - The criteria and/or standards applicable to identification or designation of “exempt aquifers” as defined under the Class II Underground Injection Control (“UIC”) program, and to establishment of the boundaries thereof;
 - The criteria and/or standards applicable to modification of the boundaries of a previously identified or designated exempt aquifer;
 - The current and historical boundaries of each aquifer that was identified or designated as an exempt aquifer in the State of California’s 1981 application for Class II primacy;
 - Any communications between EPA and the California Department of Conservation (“DOC”), including the Division of Oil, Gas and Geothermal Resources (“DOGGR”), relating to the identification or

designation of exempt aquifers, or to the modification of exempt aquifer boundaries;

- Any communications between the former Western Oil and Gas Association, the California Independent Petroleum Association, or the Western States Petroleum Association and EPA pertaining to the identification or designation of exempt aquifers or updates thereto, including without limitation any communication in or around 1985 relating to exempt aquifer “updates”;
- Any past or current guidance issued by EPA that addresses, in whole or in part, the process by which an aquifer may be identified or designated as exempt, or by which the boundaries of an already exempt aquifer may be modified, and the respective roles of EPA, DOC and/or DOGGR in such processes;
- The current and historical boundaries of any aquifer that has been identified or designated as an exempt aquifer in the State of California since the grant of Class II primacy to the State;
- The criteria and process used by EPA, DOC and/or DOGGR to establish the “administrative” boundary of an oil and gas field, and the relevance that such administrative boundary has to the classification of aquifers lying within those boundaries;
- Any request, by any party, to modify the boundaries of an existing UIC exempt aquifer or to recognize a new UIC exempt aquifer subsequent to the grant of primacy to the State of California, and EPA’s response, if any, to that request.

If EPA has records responsive to this request, I would like to make an appointment for a representative of my office to review the files as soon as possible.

If EPA claims that portions of the records are privileged, confidential or otherwise exempt from disclosure, please describe the nature of the records in a manner sufficient to allow for assessment of the designation.

I understand that EPA may charge fees in connection with searching and/or copying and I am willing to pay such fees. I ask that EPA notify me in advance if any initial searching costs will exceed \$500.00.

U.S. EPA Region 9
September 2, 2014
Page 3

Thank you for your consideration of this request. Please contact me at (415) 983-1305 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Margaret Rosegay". The signature is fluid and cursive, with the first name "Margaret" written in a larger, more prominent script than the last name "Rosegay".

Margaret Rosegay